

PUBLIC HIGHWAYS AND PRIVATE ROADS (EXCERPT)

Act 283 of 1909

CHAPTER X

PENALTIES AND FORFEITURES

230.1-230.3 Repealed. 1958, Act 77, Eff. Sept. 13, 1958.

Compiler's note: The repealed sections set penalty for neglect of duty by an overseer or highway commissioner; authorized prosecution by commissioner upon written complaint by resident.

230.4 Obstruction of navigable stream, highway drain or water course; forfeiture.

Sec. 4. Whoever shall wilfully obstruct the navigation of any river or stream, which is now or may hereafter be declared a public highway, by felling any tree therein or by putting into any such river or stream any refuse lumber, slabs, or other waste materials, or who shall wilfully obstruct any highway, or fill up or place any obstructions in any ditch constructed for draining the water from any highway, or who shall injure any highway by diverting any creek, or by obstructing any water course or sluice, shall forfeit for every such offense a sum not exceeding 25 dollars.

History: 1909, Act 283, Eff. Sept. 1, 1909;—CL 1915, 4461;—CL 1929, 4080;—CL 1948, 230.4.

Former law: See section 5 of Ch. 9 of Act 243 of 1881, being How., § 1403; CL 1897, § 4157.

230.5 Mile-stone, guide-post; wilful destruction or injury; penalty.

Sec. 5. Whoever shall wilfully destroy, remove, injure, or deface any mile-stone, mile-board, guide-post, or guide-board erected on any highway, or shall wilfully injure or deface any inscription or device placed thereupon, or who shall wilfully injure or deface any watering-trough, basin, or fountain placed upon the highway for the use of the public or for ornament, shall forfeit for each offense the sum of 25 dollars.

History: 1909, Act 283, Eff. Sept. 1, 1909;—CL 1915, 4462;—CL 1929, 4081;—CL 1948, 230.5.

Former law: See section 6 of Ch. 9 of Act 243 of 1881, being How., § 1404; CL 1897, § 4158.

230.6 Trees or shrubs; wilful destruction or injury; civil liability.

Sec. 6. Any person who shall wilfully injure, deface, tear, or destroy any tree or shrub planted along the margin of the highway, or purposely left there for shade or ornament, or who shall hitch any horse to any such tree, by means of which the same shall suffer injury, or who shall negligently or carelessly, by any other means, suffer any horse or other beast driven by or for him, or any beast belonging to him and lawfully in the highway, to break down, destroy, or injure any tree or shrub not his own, standing for use or ornament in any highway, shall be liable to an action for damages in a sum not less than 1 nor more than 25 dollars for each offense, to be recovered at the suit and for the benefit of the owner or tenant of the land in front of which such tree or shrub stands, or at the suit of the commissioner in whose township such tree or shrub may be situated, for the benefit of the highway improvement fund of such township.

History: 1909, Act 283, Eff. Sept. 1, 1909;—CL 1915, 4463;—CL 1929, 4082;—CL 1948, 230.6.

Former law: See section 7 of Ch. 9 of Act 243 of 1881, being How., § 1405; CL 1897, § 4159.

230.7 Injury to bridges; treble damages.

Sec. 7. Whoever shall injure any bridge maintained at the public charge, or any public road, by drawing logs or timber on the surface of any such road or bridge, or by any other act, shall be liable in damages to 3 times the amount of the injury, to be recovered in an action of trespass or on the case, by the commissioner of highways of the township within which the injury was done, in his name of office, to be expended by him in the repair of roads in his township.

History: 1909, Act 283, Eff. Sept. 1, 1909;—CL 1915, 4464;—CL 1929, 4083;—CL 1948, 230.7.

Former law: See section 8 of Ch. 9 of Act 243 of 1881, being How., § 1406; CL 1897, § 4160.

230.8 Trees felled in highway; removal, failure, forfeiture.

Sec. 8. If any trees shall fall or be fallen by any person from any occupied land into any highway, any person may give notice to the occupant of the land from which such trees shall have fallen to remove the same in 2 days, and if such trees shall not be removed within that time, but shall continue in such highway, such occupant shall forfeit the sum of 50 cents for every day thereafter until such tree shall be removed.

History: 1909, Act 283, Eff. Sept. 1, 1909;—CL 1915, 4465;—CL 1929, 4084;—CL 1948, 230.8.

Former law: See section 9 of Ch. 9 of Act 243 of 1881, being How., § 1407; CL 1897, § 4161.

230.9 Repealed. 1963, Act 106, Eff. Sept. 6, 1963.

Compiler's note: The repealed section made deposit of garbage or rubbish on highway a misdemeanor.